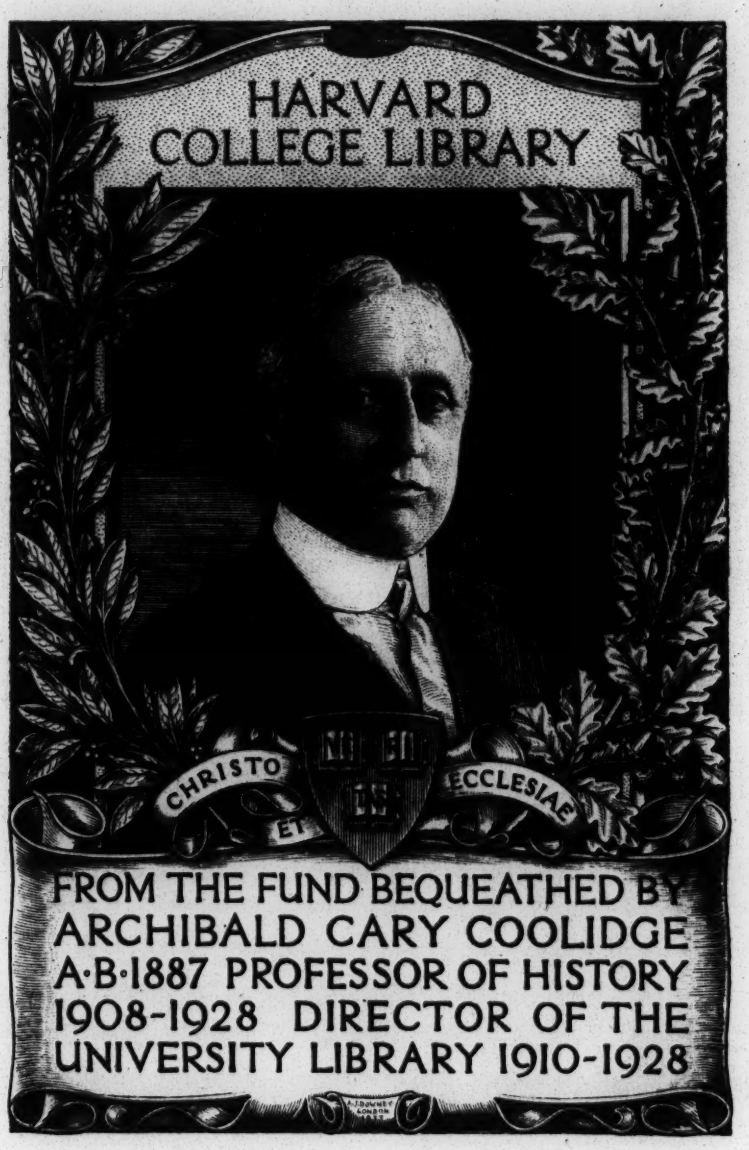
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THE 36

QUESTIONS

propounded to

Mr. HERBERT

The Kings Attorney Generall,

By the House of Commons in the presence of both Houses of Parliament, on Friday the fourteenth of *Ianuary* 1641.

Together with the Answer of the said Mr. *Herbert* to the said Questions, concerning the Impeachment of the Lord *Kimbolton*, and Mr. *Hollis*, &c. Members of the House of Commons.

Also the Articles against the Lord *Kimbolton*, Mr. *Hollis*, and the rest.

And lastly, his Majesties two Messages to the Houses of Parliament, to repaire the late Breaches of Parliament.

LONDON,
Printed for *Iohn Frank*, *Anno* 1641.

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May 23, 1939

THE QVESTIONS Propounded to Mr. Atturney Generall, By the House of COMMONS, And his Answer thereunto.

Question 1.

WHether did you contrive, frame, or advise the said Articles, or any of them?

Answer.

I will deale ingenuously and freely, and shall say the same which before I did to your Lordships; I need no long time to answer this: I did none of these three, neither contrive, frame, or advise these Articles, or any of them, and will be content to dye if I did it.

Question 2.

Whether doe you know the truth of the said Articles, or any of them in your own knowledge, or by information?

Anſwer.

I doe know nothing of my owne knowledge of the truth of this, nor of any particular, nor have heard by information; This I ſpeake upon the truth of an honeſt man, and nothing was ever ſaid unto me of this, but by my Maſter the King.

Queſtion 3.

Whether will you undertake to make good the ſaid Articles, or any of them when you ſhall bee thereunto called by due courſe of Law?

Anſwer.

By my former expreſſion you may diſcerne what anſwer I can make to this; I cannot undertake to make one tittle good in them, otherwiſe then my Maſter ſhall command me and enable me, for of my ſelfe I cannot, nor will not, no more than one that never heard of them.

Queſtion 4.

From whom received you theſe Articles, and by whoſe direction and advice did you exhibit them?

Anſwer.

It was by my Maſter the King his expreſſe command I did exhibit them, and from his hand I did receive them.

Queſtion

Queſtion 5.

Wether had you any teſtimonie or proofe of theſe Articles before the exhibiting of them?

Anſwer.

For the exhibiting of theſe Articles I received his Majeſties command.

To which Anſwer Mr. Serjeant *Wilde* replied, the Houſe of Commons deſires you to anſwer whether you had any proofe or teſtimonie, or any information of any proofe of theſe Articles, they in no kinde deſire to know what you had. To this Mr. Atturney anſwered, there is nothing in this world that I ſhall not be moſt ready to, but this I deſire time to conſider of, in regard of a truſt betweene a Maſter and Servant.

Die Sab. 15. *Jan.* 1641.

IT is reſolved by the houſe of Commons, ſince the ſaid Anſwer of Mr Attorney Generall, Thar he hath broken the priviledge of Parliament, in preferring the ſaid Articles, and that the ſame is illegall, and he criminous for ſo doing; and that a charge be ſent up to the Lords in the name of the Houſe of Commons, againſt Mr. Attorney to have ſatisfaction, for this great ſcandall and injury to the Members thereof, unleſſe by Thurſday next he bring in his proofe, and make good (if he can) the ſaid Articles againſt the ſaid perſons, or any of them.

Articles

Articles of High Treason, and other Misdemeanours against the Lord *Kymbolton*, Mr. *Pym*, *Iohn Hampden*, *Denzill Hollis*, Sir *Arthur Haslerig*, and *William Strowde*, being all Members of the House of COMMONS.

I.

THat they have traiterously endeavoured to subvert the Fundamentall Lawes and Government of this Kingdome, and deprive the King of his Legall power, and to place on Subjects an Arbitrary and tyrannicall power.

II. That they have endeavoured by many foule aspersions upon his Majesty and his Government, to alienate the affections of his people, and to make his Majesty odious to them.

III. That they have endeavoured to draw his Majesties late Army to disobedience to his Majesties command, and to side with them in their Trayterous designe.

IV. That they have Trayterously invited and encouraged a forraigne power to invade his Majesties Kingdome of England.

V. That they have Traiterously endeavoured to Subvert the very Rights and Beings of Parliaments.

VI. That for the compleating of their trayterous designes, they have endeavoured as farre as in them lay, by force, and terror, to compell the Parliament to joyne with them in their Trayterous designes, and to that end, have actually raised, and countenanced Tumults against the King and Parliament.

VII. That they have trayterously conspired to Leavy, and actually have Leavied warre against the King.

The

The Kings Meſſage to both Houſes.

January 12. 1641.

HIs Majeſtie taking notice that ſome conceive it diſputable whether His proceedings againſt my Lord *Kymbolton*, Maſter *Hollis*, Sir *Arthur Haſlerige*, Maſter *Pym*, Maſter *Hampden*, and Maſter *Strode*, be legall and agreeable to the Priviledges of Parliament, and being very deſirous to give ſatisfaction to all men in all matters that may ſeem to have relation to Priviledge, is pleaſed to wave His former Proceedings: and all doubts by this meanes being ſetled, when the minds of men are compoſed, His Majeſtie will proceed thereupon in an unqueſtionable way: And aſſures His Parliament, that upon all occaſions He will be as carefull of their Priviledges, as of his Life or his Crown.

His Majeſties Profeſsion and Addition to His laſt Meſſage to the Parliament. Ian. 14. 1641.

HIs Majeſtie being no leſſe tender of the Priviledges of Parliament, and thinking himſelfe no leſſe concerned, that they bee not broken, and that they bee aſſerted and vindicated whenſoever they are ſo, than the Parliament it ſelf, Hath thought fit

fit to adde to His last Message, this Profession, That in all His Proceedings against the Lord *Kymbolton*, Master *Hollis*, Sir *Arthur Haslerig*, Master *Pym*, Master *Hampden*, and Master *Strode*, He had never the least Intention of violating the least Priviledge of Parliament; And in case any doubt of breach of Priviledge remaine, will be willing to clear that, and assert those, by any reasonable way that His Parliament shall advise him to. Upon confidence of which, He no way doubts His Parliament will forthwith lay by all Jealousies, and apply themselves to the Publike and pressing Affairs, and especiall to those of *Ireland*, wherein the good of this Kingdome, and the true Religion (which shall ever bee His Majesties first care) are so highly and so neerly concerned: And His Majesty assures himselfe, that His care of their Priviledges will encrease; their tenderness of His lawfull Prerogative, which are so necessary to the mutuall defence of each other; and both which will be the foundation of a perpetuall perfect Intelligence between His Majestie and Parliaments, and of the happinesse and prosperity of his People.

FINIS.

*EC65.G798P.642q3

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23 May 1939